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the Southern District of New York  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA :  
: **VERIFIED COMPLAINT  
FOR FORFEITURE**  
:  
v.  
:  
: 18 Civ. \_\_\_\_\_  
\$151,547.00 IN UNITED STATES CURRENCY,  
:  
Defendant-*in-rem*.  
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Plaintiff United States of America, by its attorney, Geoffrey S. Berman, United States Attorney for the Southern District of New York, for its verified complaint alleges, upon information and belief, as follows:

**JURISDICTION AND VENUE**

1. This is a civil action in rem is commenced by the United States of America pursuant to Title 18, United States Code, Section 981 seeking the forfeiture of \$151,547.00 in United States currency seized on or about April 17, 2018 ("Defendant-*in-rem*" or "Defendant Currency").

2. This Court has jurisdiction pursuant to Title 28, United States Code, Sections 1345 and 1355.

3. Venue is proper under Title 28, United States Code, Section 1335(b)(1)(A) because acts and omissions giving rise to forfeiture took place in the Southern District of New York.

**PROBABLE CAUSE FOR FORFEITURE**

**Background to the Investigation**

4. Since in and around March 2018, the Drug Enforcement Administration (“DEA”) has been involved in an investigation (the “Investigation”) into a drug trafficking organization (“DTO”) that operates primarily in and around Bronx, New York, and New Jersey. The Investigation has revealed that the DTO uses the services of a money laundering organization operating in Queens, New York, among other places, to launder drug proceeds on behalf of narcotics traffickers..

5. The instant complaint relates to the April 17, 2018, seizure by law enforcement of approximately \$151,547.00 in United States currency (i.e. the Defendant Currency).

**April 17, 2018 Seizure**

6. In connection with the Investigation, on September 14, 2017, DEA agents conducted surveillance of a high intensity drug trafficking area in the vicinity of Ash Avenue and Syringa Place, Flushing, New York. At approximately 2:15 p.m., law enforcement observed a white Honda Accord (the “Accord”) driven by an Hispanic male pull onto Ash Avenue and park in the area of 143-49 Ash Avenue, Flushing, New York.

7. A short time later, a white BMW X5 (the “BMW”) pulled onto Ash Avenue and parked directly in front of the Accord. Once the BMW parked, the Accord pulled away, circled the block one time, and then returned to the space directly behind the BMW.

8. At this time, the passenger, an Asian male (“CC-1”), and driver, an Asian male (“CC-2”), exited the BMW empty-handed and entered the Honda. Seconds later, CC-1 and CC-2 exited the Honda with CC-1 holding a weighted red plastic bag (the “Bag”). CC-1 and CC-2 then re-entered the BMW and the Honda left the area.

9. Immediately thereafter, law enforcement observed the BMW pull away from the curb, enter Ash Avenue, and then circle the block. Once the BMW turned onto Ash Avenue law enforcement initiated a traffic stop at approximately 2:35 p.m. As the BMW came to a stop, CC-1 exited the BMW with the Bag and began to run away on Ash Avenue. After a short distance, CC-1 was detained by law enforcement along with CC-2.

10. Upon engaging with CC-1, law enforcement observed numerous bundles of United States currency rubber banded together inside the Bag consistent with the packaging of narcotics proceeds, i.e. the Defendant Currency<sup>1</sup>. Law enforcement asked CC-1 about how he came to possess the Defendant Currency. CC-1 stated that he received the Defendant Currency from a young Spanish male in a white Honda. CC-1 stated he did not know the name of the individual but provided law enforcement with a telephone number. CC-1 further explained that he routinely receives text messages or phone calls from various individuals to arrange a time for those individuals to drop off currency to him. After receiving the currency, CC-1 would then in turn bring the currency to another individual located in College Point, New York. CC-1 also identified an individual (“CC-3”) who would instruct CC-1 to pick up a certain amount of

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<sup>1</sup> The Defendant Currency consisted of 759 one hundred dollar bills; 277 fifty dollar bills, 3,075 twenty dollars bills; 25 ten dollar bills, 6 five dollars bills, and 17 one dollar bills. Narcotics traffickers are known to use low denomination currency to conduct their business and as such the Defendant Currency is consistent with being proceeds from narcotics trafficking.

11. Additionally, CC-1 consented to a search of his residence in Flushing, New York. Law enforcement conducted a search of CC-1's residence and seized an electronic bill-counting machine, a shoebox containing numerous rubber bands of various colors and sizes used to secure bundles of United States currency, and a large amount of counterfeit United States currency.

12. After agreeing to speak with law enforcement, CC-2 stated that he was the driver of the BMW and CC-1 was in charge. CC-2 insisted he had no knowledge of what was in the Bag or what CC-1 was doing.

13. Both CC-1 and CC-2 disclaimed any ownership of the Defendant Currency to law enforcement.

14. As a result of the above, law enforcement seized<sup>2</sup> the Defendant Currency as narcotics proceeds.

#### **CLAIM FOR FORFEITURE**

15. Incorporated herein are the allegations contained in paragraphs one through fourteen of this Complaint.

16. Title 21, United States Code, Section 881(a)(6) subjects to forfeiture All moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of [Subchapter I of Title 21], all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of [Subchapter I of Title 21].

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<sup>2</sup> Law enforcement also seized two cellular phones from CC-1, four cellular phones from CC-2 and one cellular phone that was found in the BMW that neither CC-1 nor CC-2 claimed ownership of.

instruments, and securities used or intended to be used to facilitate any violation of [Subchapter I of Title 21].

17. The Defendant Currency is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) because there is probable cause to believe that they are proceeds traceable to exchanges of controlled substances in violation of 21 U.S.C. §§ 841(a)(1) and 846.

WHEREFORE, plaintiff United States of America prays that process issue to enforce the forfeiture of the Defendant Currency and that all persons having an interest in the Defendant Currency be cited to appear and show cause why the forfeiture should not be decreed, and that this Court decree forfeiture of the Defendant Currency to the United States of America for disposition according to law, and that this Court grant plaintiff such further relief as this Court may deem just and proper, together with the costs and disbursements of this action.

Dated: New York, New York  
October 5, 2018

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York  
Attorney for the Plaintiff  
United States of America

By:

  
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VERIFICATION

STATE OF NEW YORK )  
COUNTY OF NEW YORK :  
SOUTHERN DISTRICT OF NEW YORK )

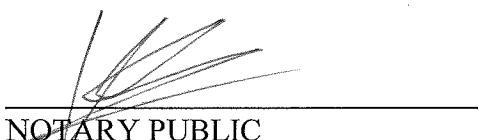
SPECIAL AGENT Matthew Ryan, being duly sworn, deposes and says that he is a Special Agent with the Drug Enforcement Administration (“DEA”), and as such has responsibility for the within action; that he has read the foregoing complaint and knows the contents thereof, and that the same is true to the best of his own knowledge, information and belief.

The sources of deponent’s information and the ground of his belief are conversations with other law enforcement officers and others, official records and files of DEA and the United States Government, and information obtained directly or indirectly by deponent during an investigation of alleged violations of Titles 18 and 21, United States Code.



MATTHEW RYAN  
Special Agent  
Drug Enforcement Administration

Sworn to before me this  
5<sup>th</sup> day of October 2018



NOTARY PUBLIC

KEVIN C. GORMAN  
Notary Public, State of New York  
No. 02GO6161201  
Qualified in WESTCHESTER County  
Commission Expires FEBRUARY 20, 2015